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8 **UNITED STATE DISTRICT COURT**
DISTRICT OF NEVADA

9 GUIDO L. PERALTA,

10 Plaintiff,

11 vs.

12 CACH, LLC,

13 Defendant.

Case No.: 2:16-cv-01745-RFB-CWH

STIPULATION TO STAY LITIGATION

15 Guido L. Peralta (“Peralta”) and CACH, LLC (“CACH”) jointly request the Court to
 16 enter a stay of this litigation pending the completion of related litigation currently pending
 17 between the two parties in the Eighth Judicial District Court, State of Nevada, (Case A-16-
 18 733664-C). The state court case is currently in court supervised arbitration with an arbitration
 19 scheduled for February 22, 2017. The parties ask the Court to stay this matter until March 1,
 20 2017, as the state court arbitration may resolve the issues in this case.

21 **BACKGROUND**

22 A dispute exists between Plaintiff and Defendant over the existence of, and collection of
 23 a debt. CACH, LLC filed a lawsuit to collect the debt in Nevada State Court on March 18, 2016
 24 (Case A-16-733664-C). Plaintiff filed this lawsuit contesting the collection of the debt in this
 25 Court on July 22, 2016 (Case 16-cv-01745). The Parties agree that a brief stay of this case,
 26 until March 1, 2017, will benefit the Parties and preserve judicial resources. Fed. R. Civ. P. 1.

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DISCUSSION**Federal District Courts have Broad Discretion to Stay Discovery During the Pendency of a Dispositive Motion**

It is well-established that district courts have broad discretion to control the nature and the timing of discovery. *Salida v. United States Dep't of Fish & Wildlife*, 288 F.R.D. 500 (D. Nev. 2013). This power arises not only from the permissive language contained with Rule 26(c)(1), but also from the "prime directive" itself, which orders district courts to apply the Federal Rules of Civil Procedure in such as a way as to "secure the just, speedy, and inexpensive determination of every action and proceeding. See Fed. R. Civ. Pr. 1; *Pettit v. Pulte Mortg., LLC*, 2011 U.S. Dist. LEXIS 131324, 12, 2011 WL 5546422 (D. Nev. Nov. 14, 2011).

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CONCLUSION

Accordingly, the parties ask the Court to stay this federal court action until March 1, 2017. The Parties expect that the underlying state court action will be instrumental in the settlement of the federal claims in the federal lawsuit. Therefore, it is HEREBY STIPULATED AND AGREED, by and between the Parties as follows:

- (1) This case should be stayed until March 1, 2017;
- (2) The discovery requests currently pending will be stayed; and
- (3) Defendant's Motion for Summary Judgment, ECF NO. 10, is withdrawn without prejudice.

DATED this 7th day of December 2016.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

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IT IS SO ORDERED:


UNITED STATES JUDGE

DATED: _ December 8, 2016 _